

10-12-5: ACCESSORY BUILDING REGULATIONS:

A. Definitions: For the purpose of this section, the following shall be used as definitions:

1. ACCESSORY BUILDING/PORTABLE ACCESSORY BUILDING: An accessory building for both residential and nonresidential development is defined as a building that:
 - a. Is detached from the principal building
 - b. Is clearly a supplementary use to the principal building
 - c. Is not intended for human habitation.
2. PORTABLE ACCESSORY BUILDING IS DEFINED AS:
 - a. A building that is two-hundred (200) square feet or less
 - b. Has no poured concrete and is on skids or some type of device that will allow for easy relocation
 - c. Does not exceed twelve (12) feet in height from the lowest part of the structure to the top
3. SIDE YARD, FOR DETERMING ANY ACCESSORY BUILDING COVERED AREA: The area between the front wall plane of the principal building and the rear wall plane of the principal building and the area between the side wall plane of the principal building and the side yard property line.

B. Prohibited uses:

1. Living Space
2. Hazardous Chemical Storage unless specifically permitted by the city

C. Accessory Building Coverage Area:

1. Accessory buildings may not cover more than 25% of the side yard or rear yard as applicable.
2. The total combined area of all accessory buildings on any one lot can not cover more than 10% of the total lot area.

(Ord. 01-12-11-22, 12-11-2001, eff. 1-11-2002)

D. Accessory Building Setbacks: All accessory buildings shall be located in accordance with the following:

1. Front Setback: Any accessory building portable or otherwise shall be placed behind the front wall plane of the principal building, the front being defined as the wall plane facing the abutting street.

(Ord. 02-7-23-14, 7-23-2002, eff. 8-15-2002)

2. Side Setback; Corner Lot, Side Abutting Street: Any accessory building portable or otherwise shall not be placed between the side wall plane of the principle building and the abutting side street.

(Ord. 01-1-9-3, 1-9-2001, eff. 1-18-2001)

3. Side and Rear Setback, Interior Lot Line:

- a. Accessory buildings shall not be located on any public utility easement.
- b. However, portable accessory buildings may be placed on a public utility easement. But the owner, or successor in interest, will be responsible for moving the building and for all costs involved in moving the building in the event public utilities need to do work within the public utility easement.

(Ord. 01-1-9-3, 1-9-2001, eff. 1-18-2001; amd. 2003 Code)

E. Accessory Building Maximum Height: Accessory building maximum height is to conform to the applicable provisions set forth in the building code, but not to exceed thirty-five (35) feet in height. Maximum portable accessory building height is as shown in A-2-c of this section.
(Ord. 08-15, 9-23-2008, eff. 9-24-2008)

F. Building Permit Required:

1. An accessory building not meeting the definition of a portable accessory building as defined in A-2 of this section shall have a building permit issued before work commences.
2. A portable accessory building with connected utilities requires the utilities be inspected by the building inspector.
3. A portable accessory building with no utilities does not need a permit nor require inspection.

G. Drainage: No drainage from the roof of any accessory building may be discharged on to an adjacent lot.

H. Vacant Lot: Where no principal building exists on a lot, a detached accessory building may be permitted following conditional use approval by the planning commission in accordance with section 10-12-33 of this chapter. The detached accessory building shall conform to the setbacks found in the applicable zone where it will be located.